

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69313 of 2024

Arising Out of PS. Case No.-110 Year-2024 Thana- DAUDNAGAR District- Aurangabad

1. Kaushlendra Chaudhary @ Kaushlendra Kumar Son of Saguli Chaudhary Resident of Village- Lila Bigha, P.S.- Daudnagar, Distt.- Aurangabad
2. Santosh Chaudhary @ Santosh Kumar Son of Saguli Chaudhary Resident of Village- Lila Bigha, P.S.- Daudnagar, Distt.- Aurangabad
3. Mantu Chaudhary @ Mantu KUMar Son of Umesh Chaudhary Resident of Village- Lila Bigha, P.S.- Daudnagar, Distt.- Aurangabad
4. Mukesh Chaudhary @ Mukesh Kumar Son of Umesh Chaudhary Resident of Village- Lila Bigha, P.S.- Daudnagar, Distt.- Aurangabad
5. Anish Chaudhary @ Anish Kumar Son of Santosh Chaudhary Resident of Village- Lila Bigha, P.S.- Daudnagar, Distt.- Aurangabad
6. Sarju Chaudhary Son of Late Anup Chaudhary Resident of Village- Lila Bigha, P.S.- Daudnagar, Distt.- Aurangabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Advocate
For the Opposite Party/s : Mr. Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 04-12-2024 Heard Learned Counsel for the petitioners and

Learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Daudnagar P.S. Case No. 110 of 2024, lodged on 16.03.2024, under Sections 147, 148, 149, 341, 323, 325 and 307 of the Indian Penal Code.

3. As per the prosecution, FIR has been lodged against 10 named accused persons including the present petitioners



against whom there is allegation that they have assaulted the informant and his family members due to which informant and his son sustained injuries.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel further submits that though there are 10 accused persons named in the FIR but out of 10 only six persons have moved for anticipatory bail. Counsel submits that upon bare reading of the FIR, it becomes clear that the alleged date and time of occurrence was at about 7:00 AM on 14.03.2024. Counsel submits that the injuries mentioned by the doctor, annexed as Annexure-2 series, are simple in nature for one person and caused by hard and blunt substances, while for another person, the injury is grievous in nature and caused by the same. Counsel further submits that for the same date and place of occurrence, case and counter case has been lodged, i.e., from the petitioners' side, Daudnagar P.S. Case No. 107 of 2024 dated 14.03.2024 and from the informant's side, Daudnagar P.S. Case No. 110 of 2024 dated 16.03.2024. Counsel further submits that the petitioner No. 1 has one criminal antecedent in which he is on bail and petitioner No. 2 to petitioner No. 6 have clean antecedent.



5. Learned APP for the State opposes the prayer for bail and submits that the injury caused is simple in nature to one person, while grievous in nature to another person.

6. Considering the aforesaid facts and circumstances, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) with two sureties of the like amount each to the satisfaction of S.D.J.M., Daudnagar in connection Daudnagar P.S. Case No. 110 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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